

## Joint Powers Agreement

### Transferring Zoning Authority from Blue Buttes Township to McKenzie County, ND

The Joint Powers Agreement is to be effective the 23 day of September, 2013, by and between Blue Buttes Township, a North Dakota political subdivision (Township), 223 Main St., Keene, ND 58847 and McKenzie County, North Dakota, a North Dakota political subdivision (County) 201 5<sup>th</sup> St. NW, Watford City 58854.

#### Purpose

The purpose of this Agreement is for the Township to relinquish its zoning authority to the County subject to the right to reacquire such zoning authority by giving 6 months notice to the County of the Township's reacquisition of its zoning authority.

#### Recitals

1. The Township has considered adopting zoning ordinances and the County is presently adopting zoning ordinances.
2. Under North Dakota law, the Township zoning authority supersedes the County's zoning authority unless relinquished by the Township.
3. The Township may transfer its zoning authority to the County pursuant to a joint powers agreement under Section 54-40-5-03 NDCC.
4. The Township has no employees, equipment or real property related to the transfer of its zoning authority.
5. The Township may reacquire its zoning authority from the County and terminate an Agreement transferring such authority as provided in this Agreement.

**Agreement**

1. The Township hereby relinquishes and transfers its zoning authority to the County, effective as of the above described date.
2. The Township reserves the right to recover its zoning authority from the County and terminate this Agreement after giving the County six months notice of its intent to recover its zoning authority and terminate this Agreement.
3. The County shall undertake all financial responsibility for exercising such zoning until such time as the Township recovers such authority.
4. This Agreement may be amended by further written agreement of the Township and the County.
5. The County will attempt to utilize the Zoning area that the Township has designated in the attached map, but the ultimate discretion regarding the zoning areas shall reside with the County.

Dated this 23 day of September, 2013

**Blue Buttes Township**

Raymond K. Kellard

By:

Dated this 1 day of Oct, 2013

**McKenzie County**

Donald A. Anderson

By: